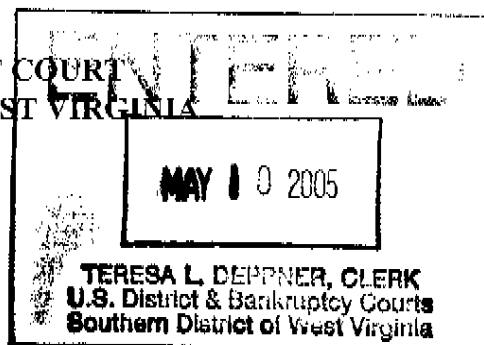


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON



GEORGE GIBBS, V, Executor of the Estate of)
Jonathan J. Gibbs, deceased,)
)
Plaintiff,)
v.)
VERTEX AEROSPACE, L.L.C., formerly)
known as RAYTHEON AEROSPACE, L.L.C.,)
a Delaware Limited Liability Company, and)
STRUCTURAL MODIFICATION AND REPAIR)
TECHNICIANS, INC., doing business as)
S.M.A.R.T., INC., a Florida corporation,)
)
Defendants.)

CASE NO. 3:04-0013
JUDGE: ROBERT C. CHAMBERS

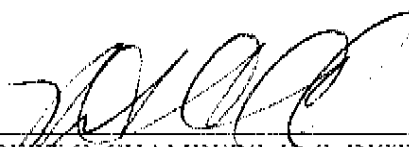
ORDER

The parties, by their respective counsel, advised the Court that all matters in dispute had been resolved and they moved jointly that this matter be dismissed with prejudice, each party to bear its own costs. The Court after reviewing these representations of counsel, concluded that this motion should be granted. Accordingly, it is hereby

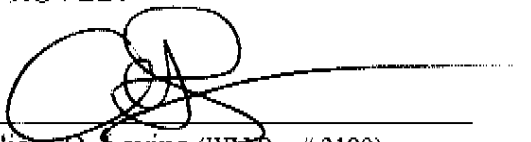
ORDERED that this matter is dismissed with prejudice, each party to bear its own costs, and the Clerk is directed to strike it from the active docket of this Court.

It is further ORDERED that all costs having been paid, the Clerk is directed to refund to counsel for Plaintiff the \$100.00 cash bond heretofore posted.

ENTERED this 10 day of May, 2005.


ROBERT C. CHAMBERS, U. S. DISTRICT JUDGE

APPROVED:

A handwritten signature in black ink, appearing to be 'William D. Levine', written over a horizontal line.

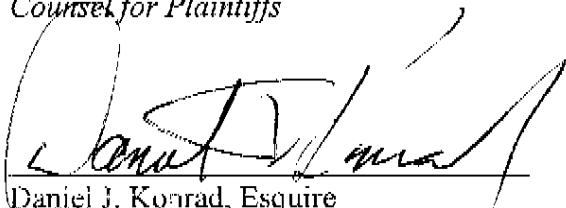
William D. Levine (WV Bar # 2190)

ST CLAIR & LEVINE

717 Sixth Avenue

Huntington, West Virginia 25701

Counsel for Plaintiffs

A handwritten signature in black ink, appearing to be 'Daniel J. Konrad', written over a horizontal line.

Daniel J. Konrad, Esquire

Huddleston, Bolen, Beatty, Porter & Copen

Post Office Box 2185

Huntington, West Virginia 25722

Counsel for Defendants